

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SEAN M. BRADRICK,

Defendant.

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8:16CR284

ORDER

This matter is before the court on the motion to continue by defendant Sean M. Bradrick (Bradrick) (Filing No. 16). Bradrick seeks a continuance of the trial of this matter to a date past November 7, 2017. Bradrick and the government have entered into pretrial diversion agreement for a period of twelve months (Filing No. 16-1). Bradrick's counsel represents that government's counsel has no objection to the motion. Judge Rossiter has approved the diversion agreement. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Bradrick's motion to continue trial (Filing No. 16) is granted. Trial is scheduled to commence before Judge Robert F. Rossiter, Jr., and a jury, at 8:30 a.m. on November 13, 2017.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **November 8, 2016, and November 13, 2017**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that the parties have entered into a pretrial diversion agreement. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(2).

DATED this 8th day of November, 2016.

BY THE COURT:
s/ Thomas D. Thalken

United States Magistrate Judge